



US Army Corps of Engineers

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	JCB-200309770
EVALUATOR:	Ms. Joyce Butler
PHONE NO.:	(601) 631-5294
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	May 13, 2004
EXPIRATION DATE:	June 2, 2004

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Neopolis Development, LLC
1000 Northpark Drive
Ridgeland, Mississippi 39157

Location of Work: Sections 11 and 14, T7N-R2E, latitude 32°27'34.0267", longitude 90°3'38.8653", within the Pearl River drainage basin, Madison County, near Madison, Mississippi.

Description of Work: (See enclosed map and drawings.)

The applicant is applying for a Department of the Army permit to mechanically clear and fill wetlands and other waters of the United States for construction of a Traditional Neighborhood Development, to be known as the Town of Lost Rabbit. The purpose of the project is to provide residential dwellings, retail/office

The Lost Rabbit development is a 259.3-acre vacant and undeveloped site along the Ross Barnett Reservoir and adjacent to the Natchez Trace Parkway. The project area is predominantly well-drained, hilly terrain. There are 28.033 acres of jurisdictional wetlands and other waters of the United States located in several areas of the property as shown on the attached drawings. Of these 28.033 acres, 24.563 acres would be avoided and incorporated into the project design as enhanced water features. Jurisdictional areas to be completely avoided include W-2, a small impounded pond (0.366 acre) and W-4, an impounded pond (0.290 acre). Wetland area W-3 would be crossed by two roads, but otherwise avoided.

Approximately 14,500 cubic yards of fill would be placed in wetland area W-1 which consists of approximately 1.15 acres of both open water and emergent wetland. Wetland areas D-1, D-2, and D-3 are natural ephemeral drains encompassing 0.068 acre, 0.123 acre, and 0.066 acre, respectively. Approximately 0.31 acre in wetland areas D-1, D-2, and D-3 would be filled with a total of approximately 4,000 cubic yards of fill material. The two roads crossing wetland area W-3 would impact 2.01 acres with a total of approximately 32,000 cubic yards of fill material.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and placement of fill material requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Madison County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed

work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

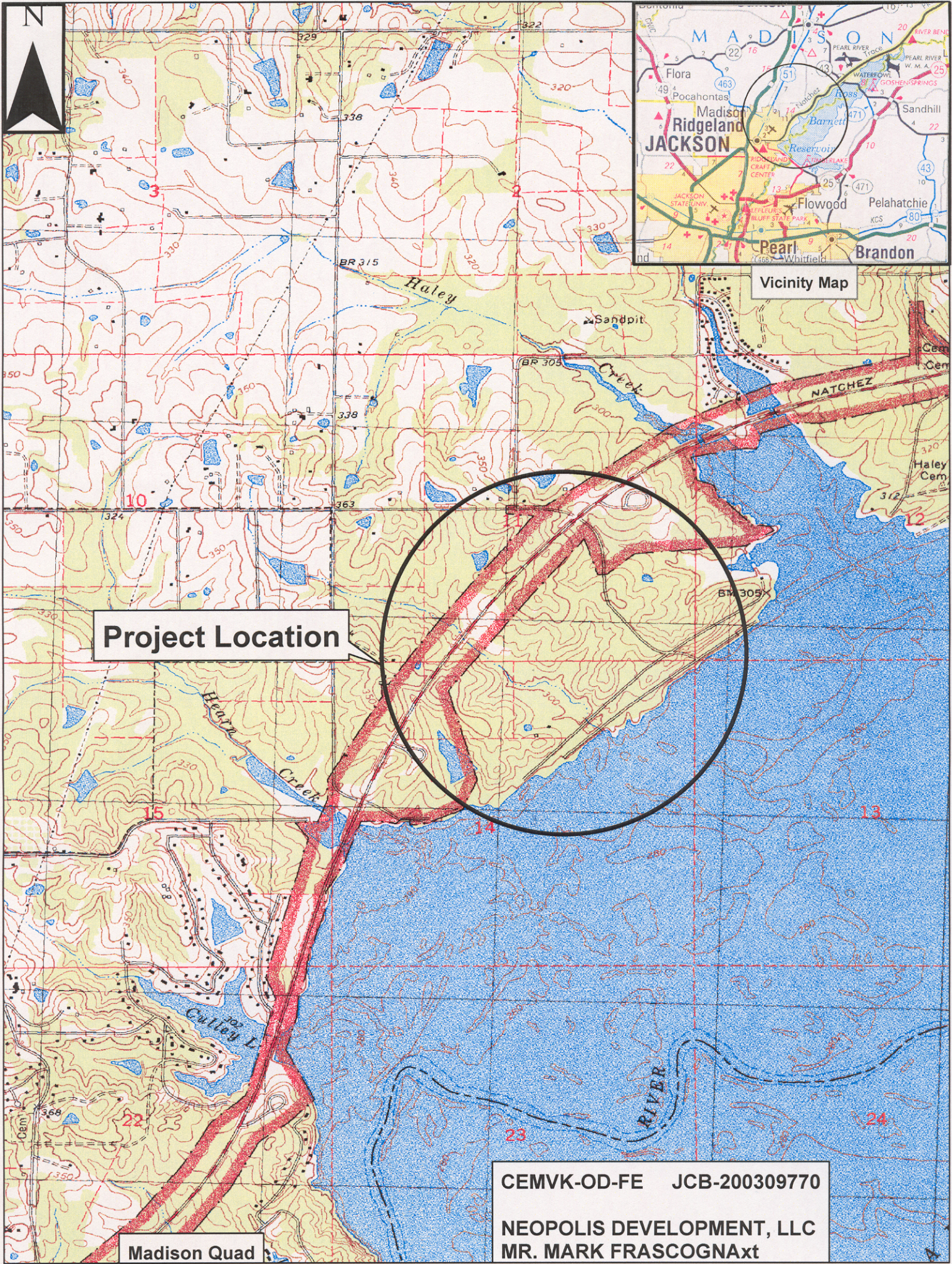
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

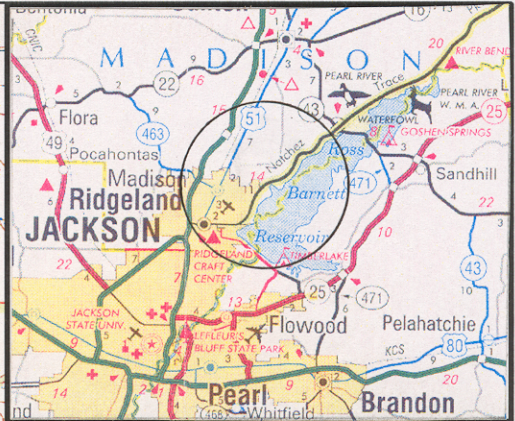


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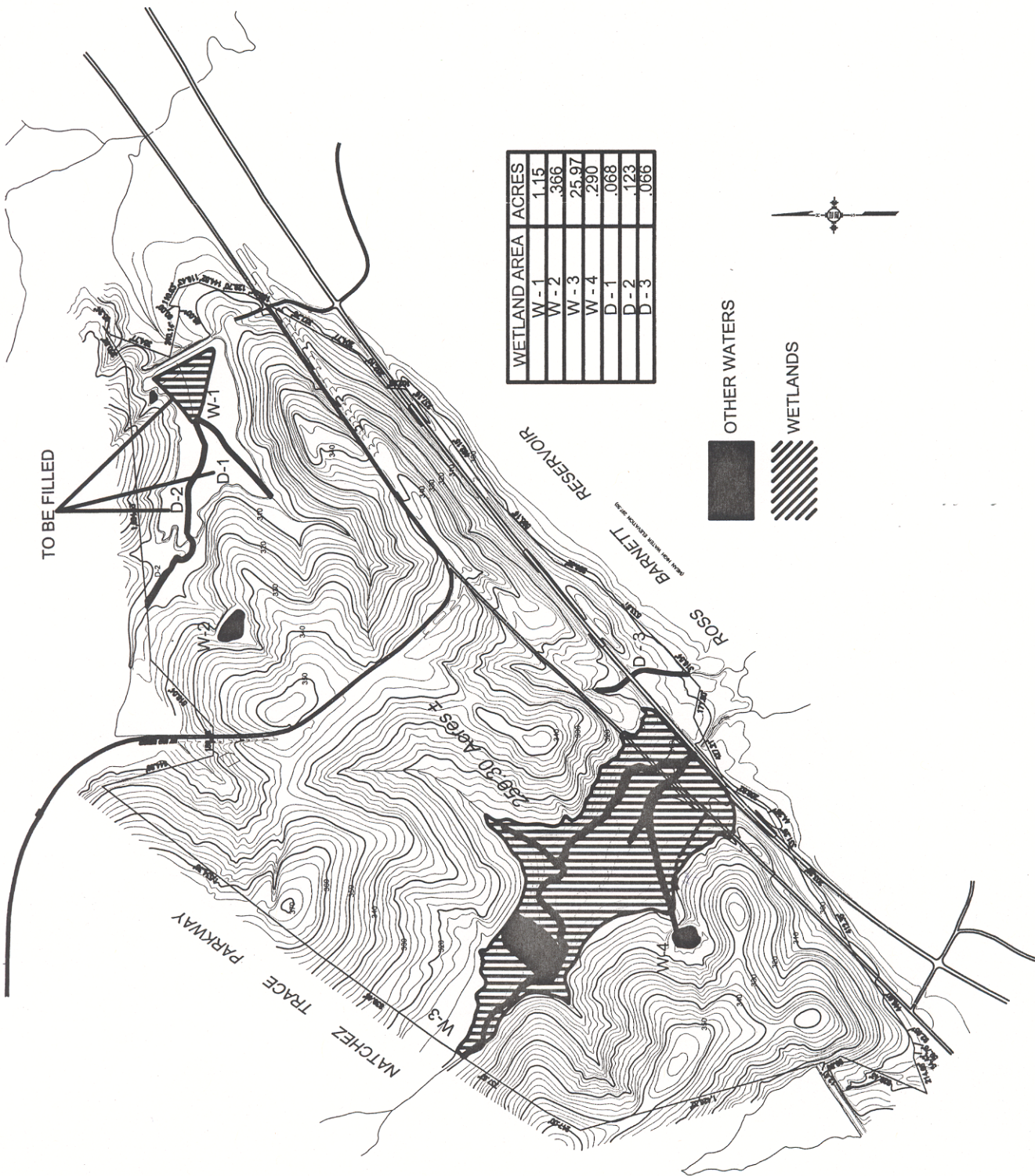
Project Location



Vicinity Map

Madison Quad

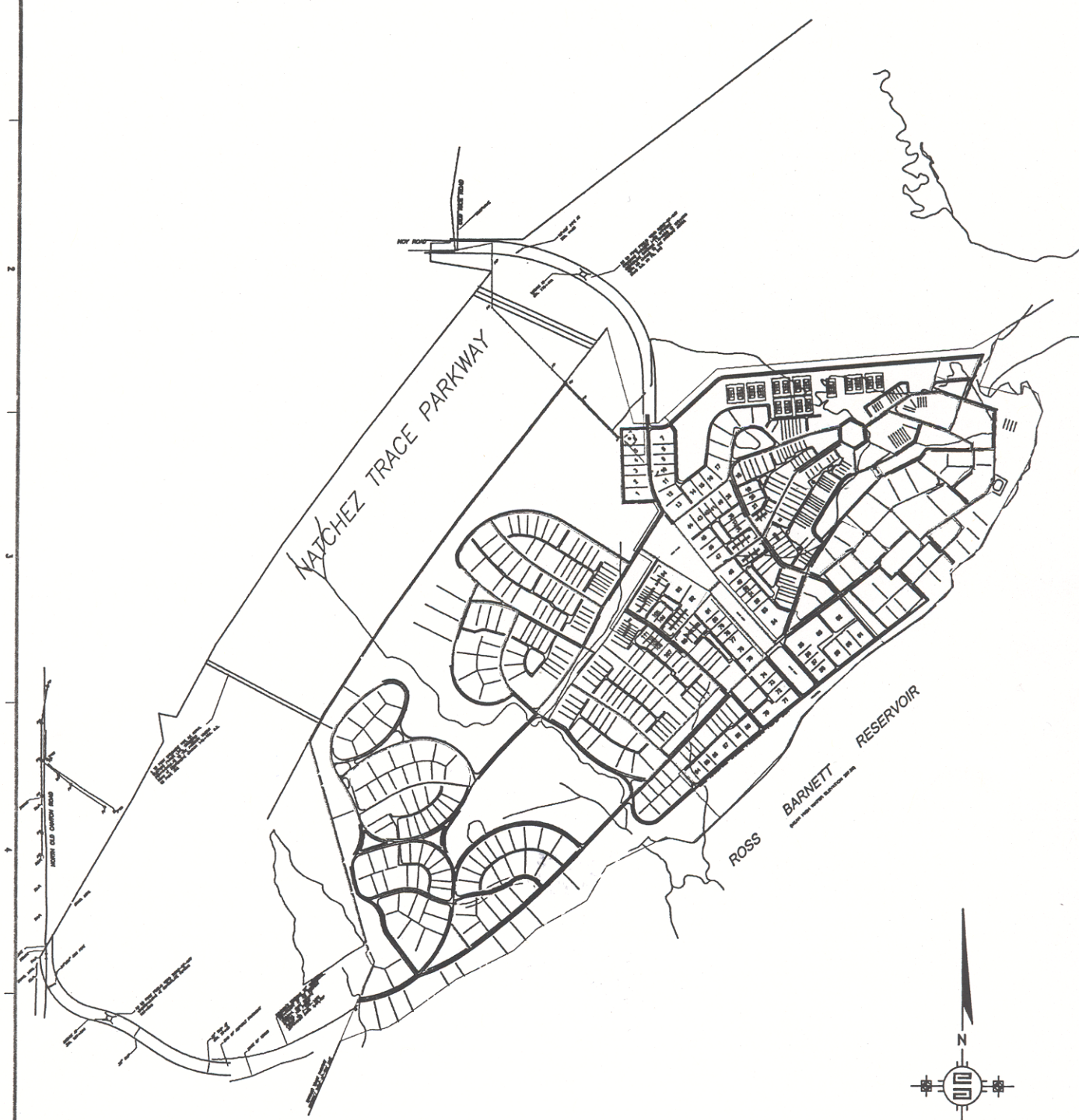
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NEOPOLIS DEVELOPMENT, LLC
MR. MARK FRASCOGNxt



WETLAND AREA	ACRES
W-1	1.15
W-2	.366
W-3	25.97
W-4	.290
D-1	.068
D-2	.123
D-3	.066

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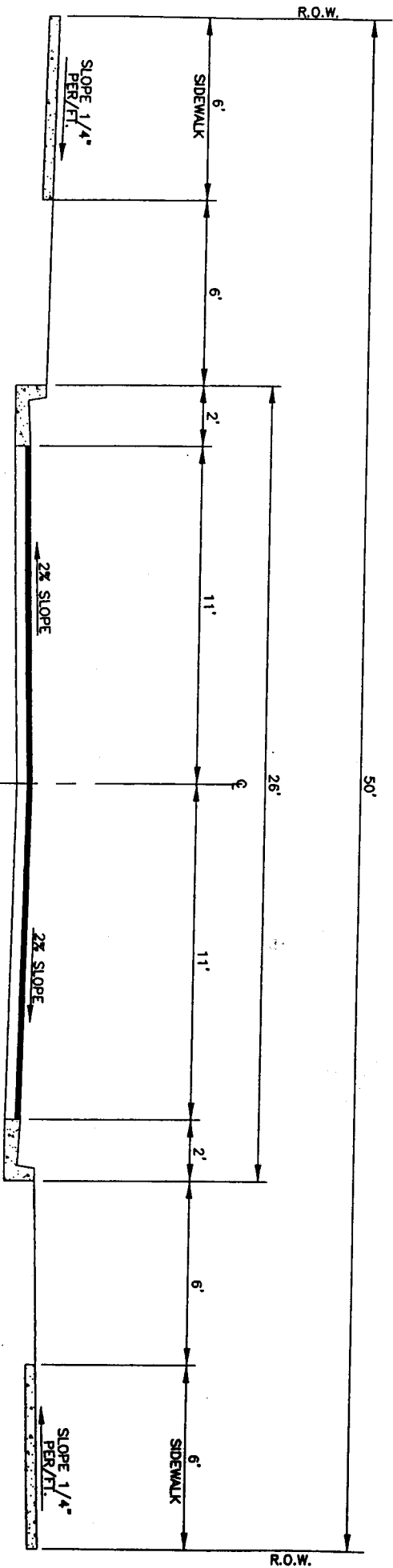
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NEOPOLIS DEVELOPMENT, LLC
MR. MARK FRASCOGNA

PRELIMINARY
BASE PLAN

THE TOWN OF
LOST RABBIT
PHASE 1A

PROJECT #	19742.00	REVISIONS
DATE	02-23-04	
DRAWN BY		
DESIGNED BY		
CHECKED BY		



TWO-WAY TRAFFIC
STREET
ST-50-26
(F,I,K,M,P,R,S)

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NEOPOLIS DEVELOPMENT, LLC
 MR. MARK FRASCOGNA